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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 11100P1 WO/MH	**FOR FURTHER ACTION**	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/GB 03/03346	International filing date *(day/month/year)* 01.08.2003	Priority date *(day/month/year)* 10.08.2002
International Patent Classification (IPC) or both national classification and IPC A45D26/00		
Applicant RECKITT BENCKISER (UK) LIMITED et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

 ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of 3 sheets.

3. This report contains indications relating to the following items:

 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand	Date of completion of this report
30.01.2004	02.11.2004
Name and mailing address of the international preliminary examining authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Acerbis, G Telephone No. +49 89 2399-6895

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB 03/03346

I. Basis of the report

1. With regard to the **elements** of the international application *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17))*:

Description, Pages

1-24 as originally filed

Claims, Numbers

1-15 received on 02.06.2004 with letter of 27.05.2004

Drawings, Sheets

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

 These elements were available or furnished to this Authority in the following language: , which is:

 ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).

 ☐ the language of publication of the international application (under Rule 48.3(b)).

 ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

 ☐ contained in the international application in written form.

 ☐ filed together with the international application in computer readable form.

 ☐ furnished subsequently to this Authority in written form.

 ☐ furnished subsequently to this Authority in computer readable form.

 ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

 ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

 ☐ the description, pages:

 ☐ the claims, Nos.:

 ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

 (Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

 ☐ the entire international application,

 ☒ claims Nos. 13-15

 because:

 ☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):

 ☐ the description, claims or drawings *(indicate particular elements below)* or said claims Nos. are so unclear that no meaningful opinion could be formed *(specify)*:

 ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

 ☒ no international search report has been established for the said claims Nos. 13-15

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/ or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

 ☐ the written form has not been furnished or does not comply with the Standard.

 ☐ the computer readable form has not been furnished or does not comply with the Standard.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-12
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-12
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-12
	No:	Claims	

2. Citations and explanations

 see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The prior published documents, cited in the international search report, either taken individually or in combination do not disclose, suggest or reasonably lead the person skilled in the art to consider the use of a hair removing depilatory layer in inseparable contact with a substrate in the known packages comprising the hair removing layer in a shallow well. The person skilled in the art would not be able to combine all the features of anyone of the present independent claims 1 (relating to the device) and 11 (relating to the method) and as such arrive at the claimed devices or methods without an inventive activity.

Dependent claims 2 to 10 are dependent on claim 1; claim 12 is dependent on claim 11, and thus claims 1 to 12 satisfy the requirements of Article 33(2)(3) PCT.

Replaced By Art 34 Amdt

Claims

1. A packaged hair removing product comprising a container and a hair-removing layer therein, wherein the container comprises a sheet formed with a shallow well, the hair-removing layer being retained in the shallow well, the container further comprising a closure member which retains the hair-removing layer in the container, the closure member being removable or displaceable from the container to permit removal of the hair-removing layer, wherein the hair-removing layer has a depilatory action and said layer is in inseparable contact with a substrate, to form a patch.

2. A product as claimed in claim 1, wherein the substrate projects laterally from the layer and the sheet has a stepped recess by accommodate snugly the layer and the projection of the substrate beyond the layer.

3. A product as claimed in claim 1 or 2, wherein the sheet has a flange or rim around the whole of its periphery against which the closure member is sealed.

4. A product as claimed in any preceding claim, wherein the layer comprises a polymeric material.

5. A product as claimed in claim 4, wherein the polymeric material comprises polyvinyl alcohol.

6. A product as claimed in claim 5, wherein a cosmetically acceptable gel-promoting agent is employed with the polyvinyl alcohol.

7. A product as claimed in claim 6, wherein the cosmetically acceptable gel-promoting agent is a borate or boric acid.

8. A product as claimed in claims 5, 6 or 7, wherein the depilatory composition is an aqueous composition comprising water in an amount between 40wt% and 90wt%, of the total weight of the composition.

9. A product as claimed in any of claims 5 to 8, wherein the composition further comprises a polyhydric alcohol.

10. A product as claimed in any preceding claim, wherein the depilatory composition is alkaline.

11. A method of depilation comprising (a) removing or displacing a closure member of a product as claimed in any preceding claim, to access the layer; (b) applying the layer to the skin; and (c) removing the layer from the skin.

12. A method of manufacturing a product as claimed in any of claims 1 to 10, comprising the steps of: (a) introducing the hair-removing composition as a warm, flowable composition into the shallow well; and (b) closing the container by means of the closure member.

13. A hair-removing product substantially as described herein.

14. A method of depilation substantially as described herein.

15. A method of manufacturing a hair-removing product substantially as described herein